

DECISION

Dispute Codes CNC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant for an order cancelling the Landlord's Notice to End Tenancy and a monetary order for the filing fee.

Neither party appeared at the hearing.

Issues(s) to be Decided

Is the Tenant entitled to an order cancelling the Landlord's Notice to End Tenancy?

Background and Evidence

The Landlord submitted a statement by fax the day prior to the hearing stating that the parties have mutually agreed to end the tenancy at the end of November and stating the Landlord withdrew his Notice to End Tenancy.

This matter was set for hearing by telephone conference call at 9:30 a.m. on this date.

The line remained open while the phone system was monitored for ten minutes and no participant called into the hearing during this time.

Analysis

As the Applicant did not attend the hearing by 9:40 a.m., **I dismiss the claim without leave to reapply.**

Conclusion

The Tenant's application is dismissed without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: September 16, 2010.

Dispute Resolution Officer